

97273

Access DB# \_\_\_\_\_

## SEARCH REQUEST FORM

Scientific and Technical Information Center

Requester's Full Name: MICHAEL PAUL Examiner #: 73476 Date: 6/23/03  
 An Unit: 1646 Phone Number 305-7038 Serial Number: 091773,041  
 Mail Box and Bldg/Room Location: CH1/10D19 Results Format Preferred (circle): PAPER DISK E-MAIL  
IDE13

If more than one search is submitted, please prioritize searches in order of need.  
 \*\*\*\*\*

Please provide a detailed statement of the search topic, and describe as specifically as possible the subject matter to be searched. Include the elected species or structures, keywords, synonyms, acronyms, and registry numbers, and combine with the concept or utility of the invention. Define any terms that may have a special meaning. Give examples or relevant citations, authors, etc. if known. Please attach a copy of the cover sheet, pertinent claims, and abstract.

Title of Invention: Retinac Receptor

Inventors (please provide full names): Gwans

Earliest Priority Filing Date: \_\_\_\_\_

\*For Sequence Searches Only\* Please include all pertinent information (parent, child, divisional, or issued patent numbers) along with the appropriate serial number.

REISSUE LITIGATION SEARCH

Pat. No. 5,171,671

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JUL 23 2003

(STIC)

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Searcher Location: \_\_\_\_\_

Date Searcher Requested: 6/24/03

Date Completed: 6/25/03

Searcher Prep & Review Time: 20

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Turn Time: 180

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NA Sequence (#) \_\_\_\_\_

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Bibliographic \_\_\_\_\_

Litigation X

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## Vendors and cost where applicable

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# **STIC Search Report**

## **Biotech-Chem Library**

**STIC Database Tracking Number: 97272**

**TO: Michael Pak**  
**Location: CM1/10E13/10D19**  
**Art Unit: 1646**  
**Wednesday, June 25, 2003**

**Case Serial Number: 773042**

**From: Mona Smith**  
**Location: Biotech-Chem Library**  
**CM1-6A01**  
**Phone: 308-3278**

**mona.smith@uspto.gov**

### **Search Notes**

This case was dismissed 8/28/1995.

Thank you for using STIC services  
Feel free to contact me if you have any questions.

Mona Smith  
308-3278

Litigants	Attorneys
Ligand Pharmaceuticals Incorporated, A Delaware Corporation PLAINTIFF	<u>Douglas E Olson</u> [COR LD NTC] <u>Lyon and Lyon</u> 4250 Executive Square Suite 660 La Jolla , CA 92037 USA 552-8400
Allergan Ligand, A California Partnership PLAINTIFF	<u>Douglas E Olson</u> [COR LD NTC] <u>Lyon and Lyon</u> 4250 Executive Square Suite 660 La Jolla , CA 92037 USA 552-8400
v.	
La Jolla Cancer Research Foundation, A California Corporation DEFENDANT	<u>Mauricio A Flores</u> [COR LD NTC] <u>Campbell and Flores</u> 4370 La Jolla Village Drive Suite 700 San Diego , CA 92122 USA 535-9001
Selectra Pharmaceuticals Inc. , A California Corporation DEFENDANT	<u>Mauricio A Flores</u> [COR LD NTC] <u>Campbell and Flores</u> 4370 La Jolla Village Drive Suite 700 San Diego , CA 92122 USA 535-9001
SRI International, A California Corporation DEFENDANT	<u>Douglas R Tribble</u> [COR LD NTC] <u>Pillsbury, Madison and Sutro</u> 101 West Broadway Suite 1800 San Diego , CA 92101 USA 234-5000

Date	#	Proceeding Text
12/10/1993	<u>1</u>	Complaint for Patent Infringement, Breach of Contract and Declaratory Jgm filed; Summons(es) issued - none as of 12/14/93 (referred to Magistrate Roger C. McKee ) Receipt No/Amt of Fee: 17176 \$120, t/w exh(s) (Imm) [Entry date 12/14/93]
12/16/1993	=	Summons issued as to defendant La Jolla Cancer Res, defendant Selectra Pharmaceuti, defendant Sri International on 12/16/93 (Imm) [Entry date 12/17/93]
12/16/1993	<u>2</u>	Proof of service by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand of: civil cover sheet, summons, and cmp srvd on La Jolla Cancer Research Fund (Imm) [Entry date 12/17/93]
12/16/1993	<u>3</u>	Proof of service by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand of: civil cover sheet, summons, and cmp srvd on Selectra Phamaceutical, Inc., (Imm) [Entry date 12/17/93]
12/23/1993	<u>4</u>	Stipulation and Order by Judge Irma E. Gonzalez : good cause having been

- shown, it is hereby ordered that dfts La Jolla Cancer Research Foundation and Selectra Pharmaceuticals, Inc., shall have until 1/22/94, to respond to the cmp for patent infringement, breach of contract, and decl jgm (cc: all counsel) (lmm) [Entry date 12/27/93]
- 1/3/1994      5      Stipulation and Order by Judge Irma E. Gonzalez : pursuant to this stip, dft SRI's time to respond to the cmp has been extended until 2/2/94; it is so ordered (cc: all counsel) (lmm)
- 1/18/1994      6      Stipulation and Order by Judge Irma E. Gonzalez : good cause having been shown, it is hereby ordered that dft La Jolla Cancer Research Foundation shall have until 2/3/94, to respond to the cmp for patent infringement, breach of contract and declaratory jgm (cc: all counsel) (lmm) [Entry date 01/20/94]
- 1/21/1994      7      Answer by defendant Selectra Pharmaceuticals to cmp for patent infringement, t/w prf of srvc (lmm) [Entry date 01/24/94]
- 1/28/1994      8      Notice and Order by Magistrate Roger C. McKee E.N.E. Conference set for 9:30 3/11/94 (cc: all counsel) (lmm) [Entry date 01/31/94]
- 2/4/1994      9      Stipulation and Order by Judge Irma E. Gonzalez : extending time; dfts shall have until 2/16/94 to serve and file an answer or otherwise respond to pla's cmp, 2/21/94 to serve a response to pla's first request for production of documents and 2/21/94 to serve a response to pla's first set of interrogatories (cc: all counsel) (lmm) [Entry date 02/07/94]
- 2/16/1994      10      Answer to cmp by defendant La Jolla Cancer Res; jury demand, t/w prf of srvc (lmm)
- 2/16/1994      11      Answer to cmp by defendant Sri International; jury demand, t/w decl of srvc (lmm)
- 2/28/1994      12      Notice of Motion and Motion by defendant Sri International for stay of action pending arbitration [ motion(s) referred to Judge Irma E. Gonzalez ] 3/28/94, at 10:30 am (lmm) [Entry date 03/01/94]
- 2/28/1994      13      Memorandum of points and authorities by defendant Sri International in support of motion for stay of action pending arbitration [12-1] 3/28/94, at 10:30 am (lmm) [Entry date 03/01/94]
- 2/28/1994      14      Declaration of Barry J Tucker by defendant Sri International in support of motion for stay of action pending arbitration [12-1], t/w exh(s) and decl of srvc (lmm) [Entry date 03/01/94]
- 3/11/1994      15      Notice of Motion and Motion by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand to stay arbitration [ motion(s) referred to Judge Irma E. Gonzalez ] 4/11/94, at 10:30 am, t/w prf of srvc (lmm) [Entry date 03/15/94]
- 3/11/1994      16      Memorandum of points and authorities by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand in support of motion to stay arbitration [15-1] (lmm) [Entry date 03/15/94]
- 3/11/1994      16      Memorandum in Opposition by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand to dft Sri's motion for stay of action pending arbitration [12-1] (lmm) [Entry date 03/15/94]
- 3/11/1994      17      Declaration of counsel by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand in support of motion to stay arbitration [15-1], t/w exh(s) (lmm) [Entry date 03/15/94]
- 3/11/1994      18      Minutes: Enter Order by Magistrate Roger C. McKee E.N.E. Conference held 9:30 3/11/94; pla's cntr-mot shall be filed and srvd by the close of business on 3/11/94, opposition thereto shall be filed and srvd by the close of business on 3/17/94, and rply papers, if any, shall be filed and srvd by the close of business on 3/21/94; the hrg will be conducted on 3/28/94 at 10:30 am, along w/dft's mot to stay action pending arbitration, set before the District Court on that day; counsel will ensure that the District Court's staff has been furnished w/all documents by 3/21/94; counsel will meet w/this court at 11:30 am on 3/28/94, or on completion of the mot hrg before the District court, for a case management conf (cc: all counsel) Court Reporter: n/a (lmm) [Entry date 03/21/94]
- 3/17/1994      19      Memorandum in Opposition by defendant Sri International to motion to stay arbitration and reply memo in support of mot to stay litigation [15-1], t/w decl of srvc (lmm) [Entry date 03/21/94]
- 3/17/1994      20      Declaration of Barry J Tucker by defendant Sri International in support of motion response and reply memo in support of mot to stay litigation [19-1], t/w exh (lmm) [Entry date 03/21/94]

- 3/21/1994     21     Reply memo by plaintiff Ligand Pharmaceutica, plaintiff Allergan Ligand in support of pla's mot to stay arbitration [15-1], t/w prf of srvc (Imm) [Entry date 03/22/94]
- 3/28/1994     22     Minutes: Enter Order by Judge Irma E. Gonzalez that the motion to stay arbitration [15-1] is submitted, that the motion for stay of action pending arbitration [12-1] is submitted Court Reporter: Lee Ann Pence (Imm) [Entry date 03/29/94]
- 3/28/1994     23     Minutes: Enter Order by Magistrate Roger C. McKee Case Management Conference held 11:00 3/28/94; counsel to contact court by telephone after receipt of ruling by the District Court or w/in ten (10) days to discuss further scheduling Court Reporter: n/a (Imm) [Entry date 03/30/94]
- 4/1/1994     24     Order by Judge Irma E. Gonzalez denying motion to stay arbitration [15-1], granting motion for stay of action pending arbitration [12-1]; the Court grants Sri's mot to stay this action against Sri only; Ligand's mot to stay arbitration is denied (cc: all counsel) (Imm) [Entry date 04/04/94]
- 4/1/1994     25     Proof of service by defendant La Jolla Cancer Research of: Sri's memo in opposition to mot to stay, arbitration and reply memo in support of mot to stay litigation; decl of JBT in support of Sri's opposition to mot to stay arbitration and reply memo in support of mot to stay (Imm) [Entry date 04/05/94]
- 4/1/1994     26     Proof of service by defendant La Jolla Cancer Research of: Sri's memo in opposition to mot to stay; arbitration and reply memo in support of mot to stay litigation; decl of BJT in support of Sri's opposition to mot to stay arbitration and reply memo in support of mot to stay litigation (Imm) [Entry date 04/05/94]
- 9/29/1994     27     Order by Judge Irma E. Gonzalez Case reassigned to Judge Napoleon A. Jones(original filed in 85-294-J) (cc: all counsel) (ms) [Entry date 10/06/94]
- 8/28/1995     28     Consent Judgment by Judge Napoleon A. Jones terminating case Dismissed with prejudice (cc: all counsel) (jrb) [Entry date 08/29/95] [Edit date 08/29/95]

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546256 (07) 5171671 December 15, 1992

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT  
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December 15, 1992

Retinoic acid receptor composition

**REEXAM-LITIGATE:**

NOTICE OF LITIGATION

NOTICE OF LITIGATION Ligand Pharmaceuticals, Inc., et al v. La Jolla Cancer Research Foundation, et al, Filed Dec. 10, 1993, D.C. S.D. California, Doc. No. 93-1895IEG (CM)

**REISSUE:** Reissue Application filed Jan. 31, 2001 (O.G. May 1, 2001) Ex. Gp.: 1646; Re. S.N. 09/773,042, (O.G. May 1, 2001)

**APPL-NO:** 546256 (07)

**FILED-DATE:** August 6, 1990

**GRANTED-DATE:** December 15, 1992

**ENGLISH-ABST:**

A novel retinoic acid receptor is disclosed. The novel receptor is encoded for by cDNA carried on plasmid pHAR1, which has been deposited with the American Type Culture Collection for patent purposes. Chimeric receptor proteins are also disclosed. The chimera are constructed by exchanging functional domains between the glucocorticoid, the mineralocorticoid, the estrogen-related, the thyroid and the retinoic acid receptors. In addition, a novel method for identifying functional ligands for receptor proteins is disclosed. The method, which takes advantage of the modular structure of the hormone receptors and the idea that the functional domains may be interchangeable, replaces the DNA-binding domain of a putative novel receptor with the DNA-binding domain of a known receptor such as the glucocorticoid receptor. The resulting chimeric construction, when expressed in cells, produces a hybrid receptor whose activation of a ligand-(e.g., glucocorticoid) inducible promoter is dependent on the presence of the new ligand. The novel method is illustrated in part by showing that the ligand for the new receptor protein is the retinoid, retinoic acid.

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